IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 29TH NOVEMBER 2007 / 8TH AGRAHAYANA 1929

WA.No. 2804 of 2007

AGAINST THE JUDGEMENT IN WPC.28242/2006 Dated 02/07/2007

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APPELLANT/PETITIONER:

ABDUL AZEEZ,
S/O.HASSAN KUNJU,
"SUBAH",
CHITTATTUMUKKU P.O., PIN - 695 588,
MENAMKULAM MURI,
MENAMKULAM VILLAGE,
THIRUVANANTHAPURAM TALUK,
THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.M.DINESH

RESPONDENTS/RESPONDENTS:

1. STATE OF KERALA,
   REPRESENTED BY THE DISTRICT COLLECTOR OF
   THIRUVANANTHAPURAM DISTRICT,
   DISTRICT COLLECTORATE, THIRUVANANTHAPURAM.

2. REVENUE DIVISIONAL OFFICER,
   OFFICE OF THE R.D.O.,
   THIRUVANANTHAPURAM.

3. TAHSILDAR,
   TALUK OFFICE,
   CHIRAYINKEEZHU TALUK,
   ATTINGAL,
   THIRUVANANTHAPURAM DISTRICT.

4. TAHSILDAR (REVENUE RECOVERY),
   TALUK OFFICE OF CHIRAYINKEEZHU TALUK,
   ATTINGAL IN THIRUVANANTHAPURAM DISTRICT.

5. TAHSILDAR, (REVENUE RECOVERY),
   TALUK OFFICE, THIRUVANANTHAPURAM.

6. DEPUTY TAHSILDAR (R.R.),
   TALUK OFFICE, CHIRAYINKEEZHU
   TALUK AT ATTINGAL.

7. VILLAGE OFFICER,
   ATTINGAL - AVANAVANCHERY VILLAGE,
   CHIRAYINKEEZHU TALUK IN THIRUVANANTHAPURAM
   DISTRICT.

8. VILLAGE OFFICER,
   MENAMKULAM VILLAGE,
   THIRUVANANTHAPURAM TALUK.

9. RAJENDRAN NAIR,
   S/O.RAGHAVAN PILLAI,
   K.R.NIVAS,
   CHITTATTUMKARA DESOM,
   ATTINGAL VILLAGE,
   CHIRAYINKEEZHU TALUK
   IN THIRUVANANTHAPURAM DISTRICT.

BY SR. GOVERNMENT PLEADER SHRI MUHAMMED RAFIQ

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 29/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, CJ. & K.M. JOSEPH, J.

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WRIT APPEAL No.2804 of 2007

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Dated this the 29th day of November, 2007.

JUDGMENT

H.L.DATTU, CJ,

On an oral request made by the learned counsel appearing for the appellant, our earlier order passed in the morning session is recalled.

2. The appellant calls in question the correctness or otherwise of the orders passed by the learned Single Judge in W.P.(C) 28242 of 2006 dated 2nd July, 2007.

3. After arguing the matter, learned counsel for the appellant would submit that the appellant would comply with the orders and directions issued by the learned Single Judge, while disposing of the matter, within a month's time from today.

4. The request made by the learned counsel for the appellant is not seriously opposed by the learned counsel appearing for the respondents Sri.Muhammed Rafiq.

5. The request of the learned counsel for the appellant appears to be reasonable and it will not cause serious prejudice to the other side. Therefore, while confirming the orders passed by the learned Single Judge, we pass the following:

Order

(i) The Writ Appeal is disposed of without going into the merits or demerits of the appellant's case before us.

(ii) The appellant is granted a month's time from today to comply with the orders and directions issued by the learned Single Judge while disposing of the writ petition.

(iii) If for any reason the appellant does not comply with the order passed by us, the respondents are at liberty to deal with the matter as provided under the Revenue Recovery Act and the Rules from the stage it is interdicted by this Court.

Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE

K.M. JOSEPH,
JUDGE

sb/DK.